



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

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*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

September 18, 2023

**BY ECF**

The Honorable Jennifer H. Rearden  
United States District Judge  
500 Pearl Street  
Southern District of New York  
New York, New York 10007

**Re: *United States v. Charles McGonigal and Sergey Shestakov*, 23 Cr. 16 (JHR)**

Dear Judge Rearden:

The Government writes in response to the letter that defendant Sergey Shestakov filed this afternoon. (Dkt. 68). The Government respectfully requests that the Court set a briefing schedule on Shestakov's motion to compel.

At the May 10, 2023 conference in this case, Shestakov expressed the desire to receive discovery from a separate case in this district, *United States v. Shriki et al.*, 22 Cr. 518 (PKC). (See 5/10/23 Tr. at 18). Eight days later, the Government responded to the request Shestakov raised at that conference. (Dkt. 68-1). Then, in an update letter to the Court, the Government reiterated its position. (Dkt. 47). In subsequent phone calls, Shestakov repeatedly stated his intention to move to compel, and the Government asked him to do so if he wanted relief from the Court. However, he has not yet done so. In light of the defendant's letter this afternoon, the Government respectfully requests that the Court set a schedule allowing any motions to compel that Shestakov wishes to file to be briefed and decided promptly.

Respectfully submitted,

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Cc: Defense Counsel (by ECF)